

# **DBE 101**

## **Internal Training for WSDOT & Local Agencies Goal Setting, Bid Clearing, & Bidder's List**

OFFICE OF EQUITY AND CIVIL RIGHTS

NINA JONES, ASST. DIRECTOR OF BUSINESS DIVERSITY AND INCLUSION

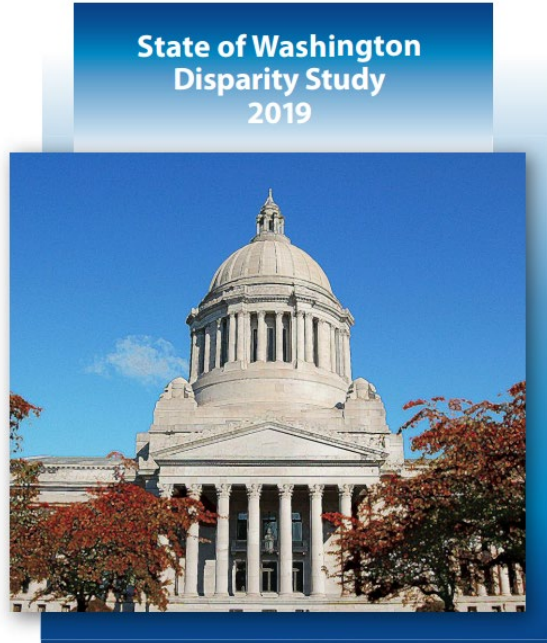
March 25, 2025

# Goal Setting & Bid Clearing



# Disparity Study

Past and Upcoming



**CH** COLETTE  
HOLT  
& ASSOCIATES

1. Three (3) years of data
2. Identified disparities between its utilization and DBE availability
3. Evaluated whether the use of race-conscious measures is supported by the results\* of the analysis

\* A new Disparity Study was completed in August 2023. Results under final review.

# DBE Contract Goal Setting

## The Basics & Considerations



1. You must set an overall goal for DBE participation in your DOT-assisted contracts
2. Your overall goal must be based on demonstrable evidence of the availability of ready, willing, and able DBEs relative to all business ready, willing, and able to participate on your DOT-assisted contracts

# Project Goal Considerations



1. Projects receiving federal funds, with a value over **\$250,000** are considered for race-conscious goal setting
2. Projects of **\$100 million** will also be evaluated to determine a separate overall project goal

# Step 1 | Baseline Goal

1. Use the availability percentage from the Disparity Study for each work scope group by the NAICS code;
2. The work scope group amount is multiplied by DBE availability percentage, which equals the estimated DBE participation amount;
3. Review the bid items, group by work scopes, and assign NAICS codes to each work scope;

NORTH  
AMERICAN  
INDUSTRY  
CLASSIFICATION  
SYSTEM

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
United States, 2022



**WORK SCOPE X DBE AVAILABILITY = DBE PARTICIPATION AMOUNT**

# Step 1 | Baseline Goal (continued)

4. Total DBE participation amount divided by the project engineer's estimate (before tax) = the weighted DBE participation amount; and
5. The weighted DBE participation figure derived from the previous step will be:
  - ratcheted up for projects located in areas with a high concentration of DBEs
  - ratcheted down for smaller projects located in remote areas.

## Proposal Management: Goal Setting

[Proposal Main](#) [View Proposal](#) [Settings](#) [Docs](#) [Goal Setting](#) [Comments](#) [Linked Records](#) [Reports](#)

CSO - WSF Structures Group Staff Augmentation: WSF Structures Group Staff Augmentation

Update goal numbers as needed. To add/edit work scopes, click [Edit Work Scopes & Goal Calculation](#).

\* required entry

Goal Calculation	
GOAL TYPE *	DBE
ESTIMATED TOTAL AMOUNT	\$1,774,880.00
CALCULATED PARTICIPATION AMOUNT	\$339,002.08
CALCULATED GOAL *	19.100 % <a href="#">Edit Work Scopes &amp; Goal Calculation</a>
PAST ACHIEVEMENT *	0.000 % <a href="#">Edit Past Achievement Calculation</a>
FINAL/ADJUSTED GOAL *	19.000
ATTACHED FILE(S)	<a href="#">Attach File</a>
COMMENTS	



# Determining Availability

$$\text{*WORK SCOPE AVAILABILITY} = \frac{\text{CERTIFIED FIRMS IN WORK SCOPE}}{\text{ALL FIRMS IN WORK SCOPE}}$$

CERTIFIED FIRMS  
=  
OMWBE directories by industry  
Code (NAICS) and in your  
Marketplace by county

ALL FIRMS  
=  
Dun & Bradstreet (D&B), Census or  
Registered Vendors  
By Industry code and in your  
Marketplace by county

**\*RULE: MUST HAVE 3 OR MORE FIRMS IN ANY SCOPE OF WORK  
TO HAVE AVAILABILITY IN THAT SCOPE**





# Step 2 | Adjustments

1. Adjustments to the DBE availability in **Step 1**, may be made based on evidence such as:
  - Specialized projects
  - Lack of available certified firms
  - Additional insurance requirements
  - Unreasonable mobilization cost



## Step 2 | Adjustments (continued)

2. Diversity Monitoring and Compliance System (DMCS), will calculate a weighted value for the participation on the historical contracts
3. WSDOT will consider historical DBE attainment for projects of a similar nature and compare this to the statistical result of Step 1
4. The participation value may be used as Step 2 DBE goal



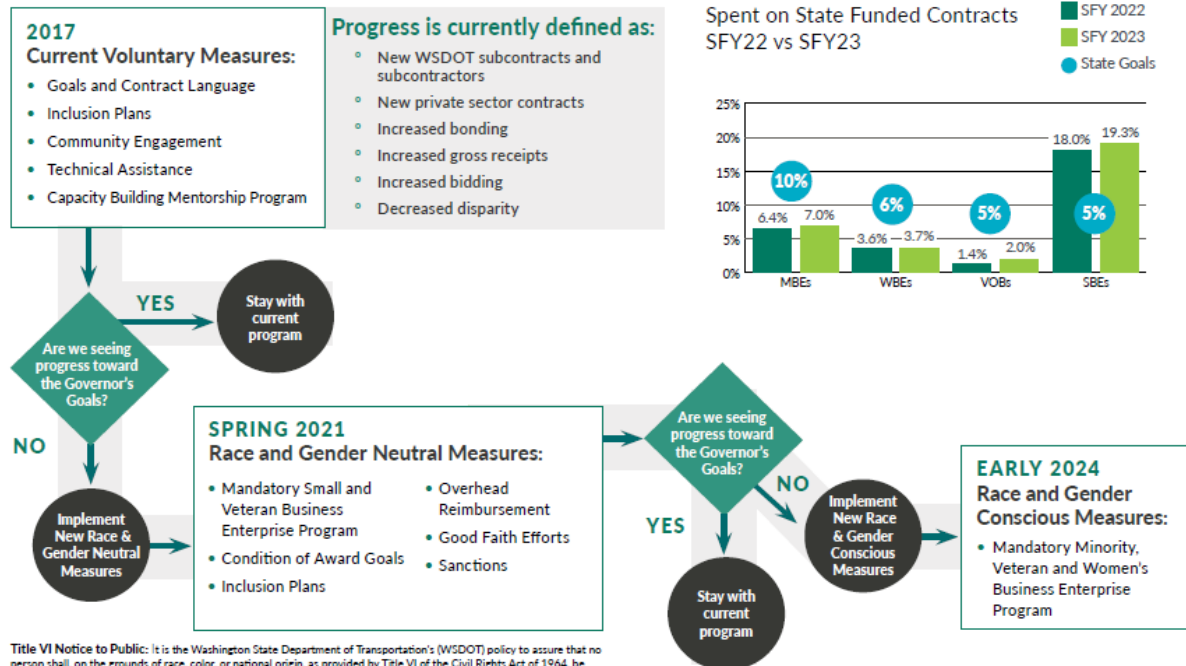
# Final Goal

1. Final DBE Project Goal established utilizing **Step 1** or **Step 2**, if necessary.
2. Standard rounding applied to arrive at nearest whole percentage.



$$\text{WORK SCOPE AVAILABILITY} = \frac{\text{CERTIFIED FIRMS IN WORK SCOPE}}{\text{ALL FIRMS IN WORK SCOPE}}$$

# State Funded Contracts - Diversity Roadmap



**Title VI Notice to Public:** It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equity and Civil Rights. For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OECR's Title VI Coordinator at (360) 705-7090.

**Americans with Disabilities Act (ADA) Information:** This material can be made available in an alternate format by emailing the Office of Equity and Civil Rights (OECR) at [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) or by calling toll free, 855-362-4ADA(4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

23-08-0266

## MORE INFORMATION

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# FORMS

272-022 – Bidder Questionnaire

272-054 – Bid Item Breakdown

272-056 – DBE Utilization Certification

422-031 – DBE Written Confirmation

272-058 – DBE Trucking Credit Form

## 272-022 – Bidder Questionnaire

## Form Instructions

The following information on each firm that submitted a bid is required as part of part of 49 CFR 26.11(c)(2):

**Firm/Subcontractor Name:** Enter the name of each firm or subcontractor who submitted a quote or a bid on the contract.

**Address:** Enter the date the main address of the firm/subcontractor. Include the zip code.

**DBE Status:** Enter the DBE status. Options are *DBE* and *Non-DBE*.

**Race:** Enter the race of the majority Owner. Options are *"Black American"*, *"Hispanic American"*, *"Native American"*, *"Asian-Paci ic American"*, *"Subcontinent Asian American"*, and *"White"*. N/A should only be used if there is not a majority owner such as when the Firm is a corporation.

**Gender:** Enter the gender of the majority Owner. Options are *"Female"* and *"Male"*. N/A should only be used if there is not a majority owner such as when the Firm is a corporation.

**NAICS Codes:** Enter the appropriate NAICS Codes for the work the bid was submitted.

**Scope of Work:** Enter the scope of the work the bid was submitted for.

**Firm Age:** Enter the age of the Firm.

**Firm Gross Receipts:** Enter the annual gross receipts. Options are *"Less than \$1 million"*, *"\$1-\$3 million"*, *"\$3-\$6 million"*, *"\$6-\$10 million"*, *"\$10-\$20 million"*, *"\$20-\$30.72 million"*, and *"Greater than \$30.72 million"*.

**Prime Contractor Representative:** The name of the person who filled out the form.





## Bidder Questionnaire

Agency Name						Federal Aid Number		
Prime Contractor Name						Contract Number		
Contract Name								
Firm/ Subcontractor Name	Address (incl. Zipcode)	DBE Status	Race	Gender	NAICS Codes	Scope of Work	Firm Age	Firm Gross Receipts

If you have additional Firms or Subcontractors that submitted Bids, please complete additional forms.

Prime Contractor Representative

Title

Date

DOT Form 272-022 Revised 09/2024

• Previous Versions Obsolete •

## 272-054 – Bid Item Breakdown (BIB)

## Instructions for Disadvantaged Business Enterprise (DBE) Bid Item Breakdown Form

Box 1: Provide the Contract Number as stated in the project information webpage.

Box 2: Provide the Name of the project as stated in the project information webpage.

Box 3: Provide the Name of the bidder (Proposal holder) submitting Bid.

Box 4: Provide the name of the prime contractor's representative available to contact regarding this form.

Box 5: Provide the phone number of the prime contractor's representative available to contact regarding this form.

Box 6: Provide the email of the prime contractor's representative available to contact regarding this form.

Column 1: Provide the Name of the Disadvantaged Business Enterprise (DBE) Firm. DBE Firms can be found using the search tools under the Firm Certification section of the Diversity Management and Compliance System (DMCS) webpage <https://wsdot.diversitycompliance.com>.

Column 2: Provide the Bid Item Number (as it appears in the engineer's estimate bid check report) available on the project information webpage.

Column 3: If the DBE is performing only part of the bid item, mark "Partial". If the DBE is performing the entire bid item, mark "Complete".

Column 4: Provide the estimated quantity for the specific bid item. For trucking firms, use hour or another unit of measure.

Column 5: Provide a description of the work to be performed by the DBE.

Column 6: Provide the price per unit and specify the type of unit used. For trucking firms, use hour or another unit of measure.

Column 7: Provide the estimated total unit cost amount per bid item.

Column 8: Provide the amount of the bid item being used to fulfil the DBE goal. The work to be performed must be consistent with the Certified Business Description of the DBE provided in the DMCS webpage <https://wsdot.diversitycompliance.com>. Mobilization up to 10% is acceptable. If mobilization is more than 10% additional information and/or justification may be requested. The total amount shown for each DBE shall match the amount shown on the DBE Utilization Certification Form.

Use Additional Sheets if necessary.



## Disadvantaged Business Enterprise (DBE) Bid Item Breakdown Form

1. Contract Number		2. Contract Name	
3. Prime Contractor		4. Prime Contractor Representative Name	
5. Prime Contractor Representative Phone Number		6. Prime Contractor Representative Email	

Column 1 Name of UDBE (See Instructions)	Column 2 Bid Item # (See Instructions)	Column 3 Full/Partial (See Instructions)	Column 4 Quantity (See Instructions)	Column 5 Description (See Instructions)	Column 6 Unit Price (See Instructions)	Column 7 Total Unit Cost (See Instructions)	Column 8 Dollar Amount to be Applied Towards Goal (See Instructions)
<b>Subtotal:</b>						\$ 0.00	\$ 0.00
Name of UDBE	Bid Item #	Full/Partial	Quantity	Description	Unit Price	Total Unit Cost	Dollar Amount to be Applied Towards Goal

<b>Subtotal:</b>		\$ 0.00	\$ 0.00	
<b>TOTAL UDBE Dollar Amount:</b>		\$ 0.00	\$ 0.00	

## 272-056 – DBE Utilization Certification

## Instructions for Disadvantaged Business Enterprise Utilization Certification Form

Box 1: Name of Bidder (Proposal holder) submitting Bid.

Box 2: Name of the Project.

Column 1: Name of the Disadvantaged Business Enterprise (DBE). DBE firms can be found using the Diversity Management and Compliance System web page: <https://wsdot.diversitycompliance.com>. Repeat the name of the DBE for each Project Role that will be performed.

Column 2: The Project Role that the DBE will be performing as follows;

- Prime Contractor
- Subcontractor
- Subcontractor (Force Account)
  - Work sublet as Force Account must be listed separately.
- Manufacturer
- Regular Dealer
  - Work sublet to a Regular Dealer must be listed separately.
  - Regular Dealer status must be approved prior to Bid submittal by the Office of Equal Opportunity, Washington State Department of Transportation, on each Contract.
- Broker
  - Work sublet to a Broker must be listed separately.

List each project role to be performed by a single DBE individually on a separate row. The role is used to determine what portion of the amount to be subcontracted (Column 4) may be applied toward meeting the goal (column 5).

Column 3: Provide a description of work to be performed by the DBE. The work to be performed must be consistent with the Certified Business Description of the DBE provided at the Diversity Management and Compliance System web page <https://wsdot.diversitycompliance.com>

- A Bidder subletting a portion of a bid item shall state "Partial" and describe the Work that is included.
  - For example; "Electrical (Partial) – Trenching".
- "Mobilization" will not be accepted as a description of Work.

Column 4: List the total amount to be subcontracted to each DBE for each Project Role they are performing.

Column 5: This is the dollar amount for each line listed in the certification that the prime intends to apply towards meeting the COA Contract goal. It may be that only a portion of the amount subcontracted to a DBE in Column 4 is eligible to be credited toward meeting the goal **See Note 1, Note 2, Note 3**. The Contracting Agency will utilize the sum of this column (Box 4) to determine whether or not the bidder has met the goal. In the event of an arithmetic error in summing column 5 or an error in making appropriate reductions in the amounts in column four, **See Note 1, Note 2, Note 3**, then the mathematics will be corrected and the total (Box 4) will be revised accordingly.

**Note 1:** For Work sublet as Force Account the bidder **may only claim 50%** of the amount subcontracted (Column 4) towards meeting the goal (Column 5). This information will be used to demonstrate that the DBE contract goal is met at the time that the bidder submits their bid. For example; amount sublet as force account = \$100,000 (Column 4) equates to  $(\$100,000 \times 50\%) = \$50,000$  (Column 5) to be applied towards the goal.

**Note 2:** For Work sublet to a Regular Dealer the bidder **may only claim 60%** of the cost of the materials or supplies (Column 4) towards meeting the goal (Column 5). For example; Material cost = \$100,000 (Column 4) equates to  $(\$100,000 \times 60\%) = \$60,000$  (Column 5) to be applied towards the goal.

**Note 3:** For Work sublet to a Broker the bidder **may only claim the fees** paid to a Broker towards meeting the goal (Column 4). For example; amount sublet to a broker = \$100,000 (Column 4) equates to  $(\$100,000 \times \text{reasonable fee \%}) = \$$  (Column 5) to be applied towards the goal.

Box 3: Box 3 is the COA Contract goal which is the minimum required DBE participation. The goal stated in the Contract will be in terms of a dollar amount or a percentage in the Contract. When expressed as a percentage you must multiply the percentage times the sum total of all bid items as submitted in the Bidder's Proposal to determine the dollar goal and write it in Box 3. In the event of an error in this box, the Contracting Agency will revise the amount accordingly.

Box 4: Box 4 is the sum of the values in column 5. **This value must equal or exceed the COA Contract goal amount written in Box 3 or;**

Box 5: Check Box 5 if insufficient DBE Participation has been achieved and a good faith effort is required. Refer to the subsection titled, *Selection of Successful Bidder/Good Faith Efforts (GFE)* in the Contract.

**See the *Disadvantaged Business Enterprise Participation* specification in the Contract for more information.**





## Disadvantaged Business Enterprise Utilization Certification

To be eligible for Award of this Contract the Bidder shall fill out and submit, as a supplement to its sealed Bid Proposal, a Disadvantaged Business Enterprise (DBE) Utilization Certification. The Contracting Agency shall consider as non-responsive and shall reject any Bid Proposal that does not contain a DBE Utilization Certification which properly demonstrates that the Bidder will meet the DBE participation requirements in one of the manners provided for in the proposed Contract. Refer to the instructions on Page 2 when filling out this form or the Bid may be rejected. An example form has been provided on Page 3. The successful Bidder's DBE Utilization Certification shall be deemed a part of the resulting Contract.

Box 1: \_\_\_\_\_ certifies that the DBE firms listed below have been contacted regarding participation on this project. If this Bidder is successful on this project and is awarded the Contract, it shall assure that subcontracts or supply agreements are executed with named DBEs. (If necessary, use additional sheets.)

Box 2: \_\_\_\_\_

Column 1	Column 2	Column 3	Column 4	Column 5
Name of DBE (See instructions)	Project Role (See instructions)	Description of Work (See instructions)	Dollar Amount Subcontracted to DBE (See instructions)	Dollar Amount to be Applied Towards Goal (See instructions)

Disadvantaged Business Enterprise  
Condition of Award Contract Goal

Box 3

Total DBE Commitment Dollar Amount

Box 4

5 ☐ By checking Box 5 the Bidder is stating that their attempts to solicit sufficient DBE participation to meet the COA Contract goal has been unsuccessful and good faith effort will be submitted in accordance with Section 1-02.9 of the Contract



Box 2: US 395, Spokane City Limits to Stevens County Line - Paving and Safety

Column 1  Name of DBE (See instructions)	Column 2  Project Role (See instructions)	Column 3  Description of Work (See instructions)	Column 4  Dollar Amount Subcontracted to DBE (See instructions)	Column 5  Dollar Amount to be Applied Towards Goal (See instructions)
A Plus Construction Company	Prime	Asphalt and concrete paving, asphalt milling, preleveling and pavement repair	N/A	900,000
In the Line Services, Inc.	Subcontractor (Force Account)	Crack sealing	20,000	10,000
In the Line Services, Inc.	Subcontractor	Guideposts, joint seal, pavement markers, temporary signage, construction sign installation	200,000	200,000

[illegible]

Total DBE Commitment Dollar Amount 1,295,250

DOT Form 272-056  
Revised 03/2018

## 422-031 – DBE Written Confirmation



See Contract Provisions: *DBE Document Submittal Requirements*  
*Disadvantaged Business Enterprise Participation*

THIS FORM SHALL ONLY BE SUBMITTED TO A DBE THAT IS LISTED ON THE CONTRACTOR'S  
DISADVANTAGED BUSINESS ENTERPRISE UTILIZATION CERTIFICATION.

THE CONTRACTOR SHALL COMPLETE PART A PRIOR TO SENDING TO THE DBE.

**PART A: To be completed by the bidder**

The entries below shall be consistent with what is shown on the Bidder's Disadvantaged Business Enterprise  
Utilization Certification. Failure to do so will result in Bid rejection.

Contract Title:

Bidder's Business Name:

DBE's Business Name:

Description of DBE's Work:

Dollar Amount to be Applied Towards DBE Goal:

Dollar Amount to be Subcontracted to DBE\*:

\*Optional Field

**PART B: To be completed by the Disadvantaged Business Enterprise**

As an authorized representative of the Disadvantaged Business Enterprise, I confirm that we have been contacted by the Bidder with regard to the referenced project for the purpose of performing the Work described above. If the Bidder is awarded the Contract, we will enter into an agreement with the Bidder to participate in the project consistent with the information provided in Part A of this form.

Name (printed):

Signature:

Title:

Address:

Date:

# **272-058 – DBE Trucking Credit Form**

Submit this form to in accordance with section 1-02.9 of the Contract.

Instruction to Bidder: The Bidder shall complete and submit the Disadvantaged Business Enterprise (DBE) Trucking Credit Form in accordance with Section 1-02.9 of the Contract.

## **INSTRUCTIONS**

**Please note – All Fields are required**

### **PART A: TO BE COMPLETED BY THE BIDDER**

**Federal Aid:** Include the project federal-aid number.

**County:** Specify the County where the project will take place.

**Contract #:** Specify the Project Contract Number which can be found in the Engineer's estimate bid check report.

**Bid Item:** Provide the Bid Item Number (as it appears in the engineer's estimate bid check report) for which trucking services will be utilized.

**Item Description:** Provide description of the bid item (as it appears in the engineer's estimate bid check report) for which trucking will be utilized.

**Bidder:** In this section, provide the bidder's legal name, title, Business address, Phone and email.

**The bidder's representative signature is required in addition to the date the form was signed.**

### **PART B: TO BE COMPLETED BY THE DBE TRUCKING FIRM**

**Question 1:** Specify type of material that will be hauled (i.e. Sand, HMA, gravel)

**Question 2:** Specify the total number of operational trucks that will be used on the project.

**Question 3:** Specify the total number of operational trucks and trailers owned by the DBE that will be used on the project.

**Question 4:** Specify the total number of operational trucks and trailers leased by the DBE that will be used on the project.

**DBE Firm:** In this section, provide the DBE Firm's legal name, DBE Firm's representative legal name and title, certification Number (Found in the firm's OMWBE Profile page in the OMWBE directory), Business address, Phone, fax and email.

**The DBE Firm's representative signature is required in addition to the date the form was signed.**





## Disadvantaged Business Enterprise (DBE) Trucking Credit Form

### PART A: TO BE COMPLETED BY THE BIDDER

This form is in support of the trucking commitment identified on the DBE Utilization Certification Form submitted with the proposal. Please note that DBE's must be certified prior to time of submittal.

Federal Aid #	Contract #	Project Name
If listing items by hours, or by lump sum amounts, please provide calculations to substantiate the quantities listed.		
Bid Item	Item Description	

Use additional sheets as necessary.

Bidder		Name/Title (please print)
Phone	Fax	Signature
Address		
Email		
		I certify that the above information is complete and accurate.
		Date

## PART B: TO BE COMPLETED BY THE DBE TRUCKING FIRM

**Note:** DBE trucking firm participation may only be credited as DBE participation for the value of the hauling services, not for the materials being hauled unless the trucking firm is also recognized as a supplier of the materials used on the project and approved for this project as a regular dealer.

1. Type of Material expected to be hauled?
  
2. Number of fully operational trucks expected to be used on this project?  Tractor/trailers:  Dump trucks:
  
3. Number of trucks and trailers owned by the DBE that will be used on this project?  Tractor/trailers:  Dump trucks:
  
4. Number of trucks and trailers leased by the DBE that will be used on this project?  Tractor/trailers:  Dump trucks:

DBE Firm Name		Name/Title (please print)
Certification Number		
Phone	Fax	Signature   I certify that the above information is complete and accurate.
Address		
Email		
		Date

DOT Form 272-058  
Revised 09/2020

# Clearance Documents

1

DBE Utilization  
Certification Form  
(not applicable to  
design build projects)  
submitted with bid  
proposal

2

Good Faith Effort  
(GFE)  
Documentation

3

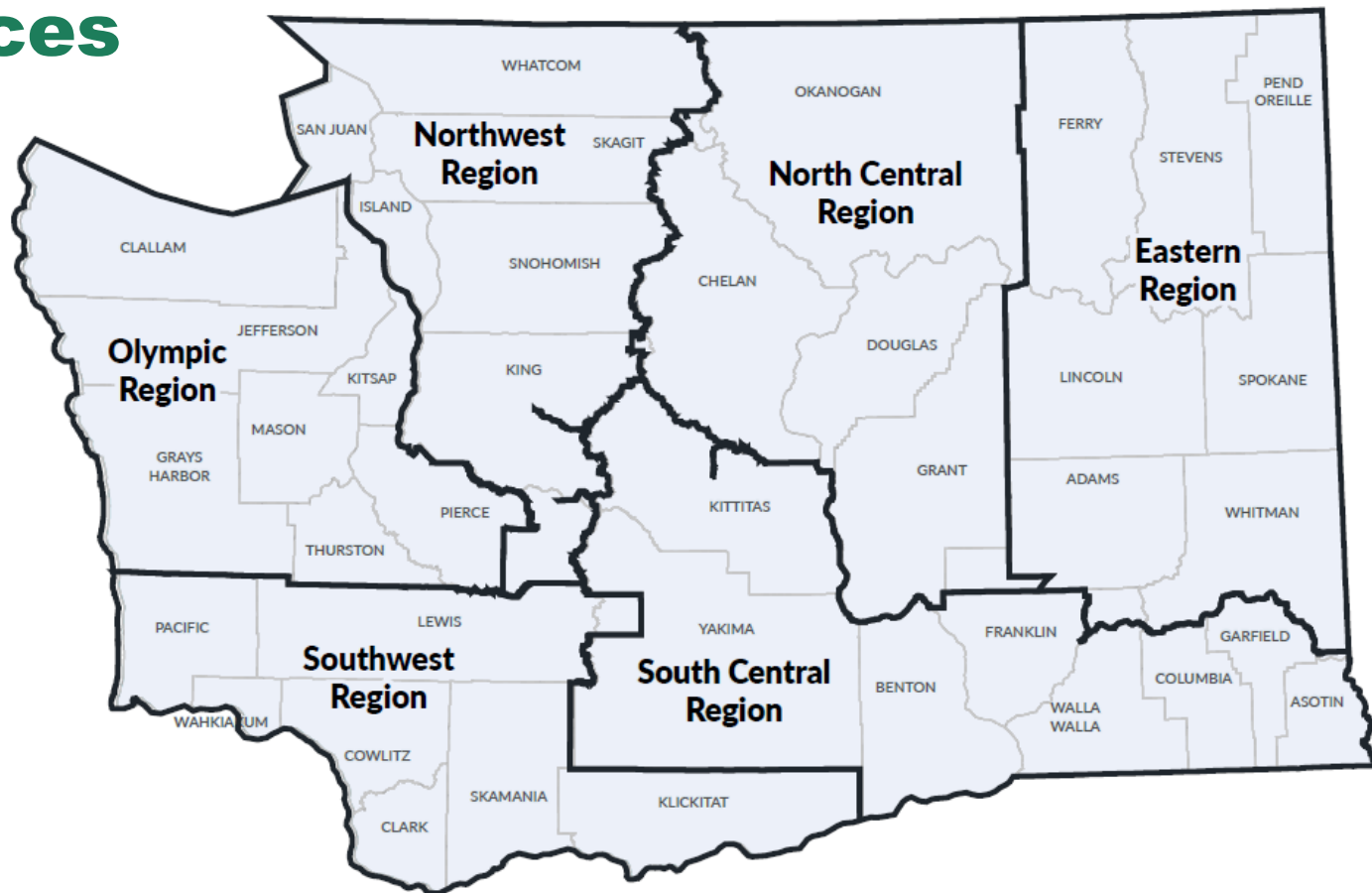
Bid Item  
Breakdown/Written  
Confirmation form

1. WSDOT OECR will review all responsive documents
2. Forms not filled out according to instruction **may result** in bidder being non-responsive
3. *De minimis* errors like spelling mistakes or transposing numbers **may not result** in non-responsiveness



# Resources

## Regional Map



# Resources

## ECONOMIC INCLUSION TEAM



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**Michael Carpenter**  
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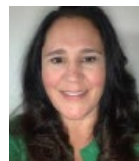
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&  
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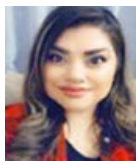
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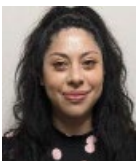


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# Resources

## Emails

REGION	EMAIL
Headquarters	<a href="mailto:HQoeo@wsdot.wa.gov">HQoeo@wsdot.wa.gov</a>
Eastern Region	<a href="mailto:ERRegionOEO@wsdot.wa.gov">ERRegionOEO@wsdot.wa.gov</a>
North Central Region	<a href="mailto:NCRegionOEO@wsdot.wa.gov">NCRegionOEO@wsdot.wa.gov</a>
Northwest Region	<a href="mailto:NWRegionOEO@wsdot.wa.gov">NWRegionOEO@wsdot.wa.gov</a>
Olympic Region	<a href="mailto:ORegionOEO@wsdot.wa.gov">ORegionOEO@wsdot.wa.gov</a>
South Central Region	<a href="mailto:SCRegionOEO@wsdot.wa.gov">SCRegionOEO@wsdot.wa.gov</a>
Southwest Region	<a href="mailto:SWRegionOEO@wsdot.wa.gov">SWRegionOEO@wsdot.wa.gov</a>
Washington State Ferries	<a href="mailto:Ferriesoeo@wsdot.wa.gov">Ferriesoeo@wsdot.wa.gov</a>
Tribal Employment Rights (TERO)	<a href="mailto:TERO@wsdot.wa.gov">TERO@wsdot.wa.gov</a>